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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JOSHUA GERSTEIN,  
Plaintiff,  
v.  
CENTRAL INTELLIGENCE AGENCY,  
et al.,  
Defendant.

Case No. C 06-04643 MMC

**STIPULATION TO EXTEND  
DEFENDANTS' BRIEFING DEADLINE  
FOR FILING REPLY IN SUPPORT OF  
RENEWED MOTION FOR SUMMARY  
JUDGMENT ; ORDER THEREON**

The parties hereby stipulate to a one-week extension of the deadline for defendants' reply in support of renewed motion for summary judgment, set pursuant to the Court's January 6, 2009. The bases for this stipulation are as follows:

1. On February 6, 2009, plaintiff filed not only his opposition to defendants' renewed motion for summary judgment, but also a motion to modify stipulation and order dismissing certain pending claims and a motion for partial summary judgment against defendant Central Intelligence Agency. Pursuant to the January 6 Order, defendants were to file the reply as to the

renewed motion for summary judgment by February 20, 2009.

2. Since receipt of plaintiff's papers, defendants' counsel has been coordinating the government's responses thereto. In addition to being busy with other cases and matters to which she is assigned, government counsel has not yet received all of the information necessary for preparation of the reply from the Office of Professional Responsibility. Therefore, a one-week extension is necessary in order to submit a complete and appropriate reply brief. Defendants also will file their responses to plaintiff's two motions on the same date.

3. Plaintiff stipulates to the request for a one-week extension of time, or until February 27, 2009, for defendants to file their papers.

Accordingly, the parties stipulate to extend the defendants' briefing deadline by one week, or until February 27, 2009.

Respectfully submitted,

JOSHUA GERSTEIN

MICHAEL F. HERTZ  
Acting Assistant Attorney General

/s/

Plaintiff

/s/

Carlotta P. Wells  
Senior Trial Counsel  
United States Department of Justice  
Civil Division  
Federal Programs Branch

Dated: February 19, 2009


Dated: February 19, 2009

~~PROPOSED~~ ORDER

Upon consideration of the parties' stipulation, the briefing deadline set by the January 6, 2009 Order is extended by one week, to reflect that defendants' reply in support of their renewed motion for summary judgment is due no later than February 27, 2009.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 20, 2009

  
MAXINE M. CHESNEY  
United States District Judge